

Committee Agenda

Committee: Senate Agriculture and Natural Resources
Room: 412
Date: Tuesday, February 7, 2012
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

SB 169 **create certain watershed districts.**
Senators Hansen (Tom), Begalka, Frerichs, Krebs, Novstrup (Al), and Peters and Representatives Street, Greenfield, Rozum, Sigdestad, and Tulson

SB 160 **create the North Central Water Development District, to provide for the appointment of the board of directors, to establish certain property tax levy limitations, and to revise the boundaries of the James River Water Development District.**
Senators Novstrup (Al), Brown, Fryslie, Heineman, and Kraus and Representatives Cronin, Hoffman, Moser, Novstrup (David), Tulson, and Wick

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

SHANTEL KREBS, Chair

87th Legislative Session – 2012

Committee: Senate Commerce and Energy

Tuesday, February 07, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Buhl
P Johnston
P Lederman
P Rave
P Nygaard, Vice-Chair
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 2ND

Moved by: Rave
Second by: Nygaard
Action: Prevailed by voice vote.

MOTION: CONFIRM APPOINTMENT OF DAVID S. PUMMEL OF BUTTE COUNTY, BELLE FOURCHE, SOUTH DAKOTA, TO THE HOUSING DEVELOPMENT AUTHORITY

Moved by: Nygaard
Second by: Rave
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Excused: Adelstein

MOTION: PLACE ON CONSENT CALENDAR

Moved by: Nygaard
Second by: Johnston
Action: Prevailed by voice vote.

MOTION: CONFIRM APPOINTMENT OF ROBERT H. HARTFORD OF HUGHES COUNTY, PIERRE, SOUTH DAKOTA, TO THE SOUTH DAKOTA LOTTERY COMMISSION

Moved by: Rave
Second by: Buhl
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Excused: Adelstein

MOTION: PLACE ON CONSENT CALENDAR

Moved by: Nygaard
Second by: Johnston
Action: Prevailed by voice vote.

MOTION: CONFIRM APPOINTMENT OF JAMES R. PETERSON OF DEUEL COUNTY, REVILLO, SOUTH DAKOTA, TO THE SOUTH DAKOTA LOTTERY COMMISSION

Moved by: Nygaard
Second by: Rave
Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Buhl, Johnston, Rave, Nygaard, Nelson (Tom)

Excused: Adelstein, Lederman

MOTION: PLACE ON CONSENT CALENDAR

Moved by: Nygaard
Second by: Rave
Action: Prevailed by voice vote.

MOTION: CONFIRM APPOINTMENT OF DOYLE D. ESTES OF PENNINGTON COUNTY, HILL CITY, SOUTH DAKOTA, TO THE SOUTH DAKOTA LOTTERY COMMISSION

Moved by: Nygaard
Second by: Rave
Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Buhl, Johnston, Rave, Nygaard, Nelson (Tom)

Excused: Adelstein, Lederman

MOTION: PLACE ON CONSENT CALENDAR

Moved by: Rave
Second by: Johnston
Action: Prevailed by voice vote.

SB 87: allow military spouses to receive unemployment compensation if they leave their jobs due to a spouse's military transfer.

Presented by: Senator Jeffrey Haverly (Handouts: #1)
Proponents: Cathy Brechtelsbauer, Self, Sioux Falls
David Owen, SD Chamber of Commerce and Industry

MOTION: DO PASS SB 87

Moved by: Rave
Second by: Buhl
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Excused: Adelstein

SB 97: require the payment of a surface access fee for oil and gas exploration and production.

See previous testimony of Thursday, February 2nd Ryan Maher (Handout #2)

Proponents: Luke Temple, Dakota Rural Action
Opponents: Steve Willard, American Petroleum Institute

Nathan Sanderson, Office of the Governor (Handouts: #3)
Jarrod Johnson, Office of School and Public Lands

MOTION: DO PASS SB 97 AS AMENDED

Moved by: Adelstein
Second by: Buhl
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 97 TO THE 41ST LEGISLATIVE DAY

Moved by: Johnston
Second by: Lederman
Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Johnston, Lederman, Rave, Nelson (Tom)

Voting No: Adelstein, Buhl, Nygaard

SB 145: prohibit rebates and regulate contracts for residential roofing goods and services.

See previous testimony of Thursday, February 2nd

Opponents: Tim Dougherty, Home Builders Association of the Sioux Empire

MOTION: AMEND SB 145

145ja

On page 1, line 8, of the printed bill, after "written" insert "storm damage repair".

On page 1, line 8, delete everything after "contract" and insert "to obtain or".

On page 1, line 12, after "the" insert "owner's".

On page 2, line 6, after "contract" insert ", subject to the payment of the reasonable documented restocking fee by the third party supplier of the roofing materials, and the payment of the agreed upon or reasonable cost of any emergency repairs already performed by the contractor".

Moved by: Nygaard

Second by: Buhl
Action: Prevailed by voice vote.

MOTION: DO PASS SB 145 AS AMENDED

Moved by: Nygaard
Second by: Buhl
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 145

145jb

On page 1 of the printed bill, delete lines 4 to 7, inclusive.

Moved by: Lederman
Second by: Rave
Action: Failed by voice vote.

THE MOTION TO DO PASS SB 145 AS AMENDED

Moved by: Nygaard
Second by: Buhl
Action: PREVAILED BY ROLL CALL VOTE. (5-2-0-0)

Voting Yes: Adelstein, Buhl, Lederman, Nygaard, Nelson (Tom)

Voting No: Johnston, Rave

SB 112: remove the limitation on the number of retail gaming licenses in Deadwood in which a person may have a financial interest.

THE CHAIR DEFERRED SB 112 UNTIL THE WEDNESDAY MORNING 7:00 MEETING

SB 155: prohibit the employment of unauthorized aliens and to provide penalties therefor.

Presented by: Senator Craig Tieszen
Proponents: Cindy Flakoll, Concerned Women For America

Opponents: Staci Eggert, SD Sheriff's Association
Brenda Forman, SD Dairy Production
Brenda Forman, SD Association of Cooperatives

MOTION: MOVE THE REMAINDER OF THE TODAYS BILLS TO TOMORROWS 7:00 AM MEETING.

Moved by: Rave
Second by: Nygaard
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Buhl
Second by: Nelson (Tom)
Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Nelson, Chair

Committee Agenda

Committee: Senate Education
Room: 423
Date: Tuesday, February 7, 2012
Time: 8:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

SB 191 **provide for authorization to offer postsecondary education services in South Dakota.**

The Committee on Education at the request of the Office of the Governor

SB 44 **encourage school districts to adopt a bullying policy and to establish a model bullying policy.**

The Committee on Judiciary at the request of the Office of the Attorney General

SB 186 **update the definition of the nonsectarian textbooks that are loaned to certain students to include digital, electronic, and internet-based materials.**

Senators Heineman, Johnston, Kraus, Maher, Novstrup (Al), Rhoden, and Schlekeway and Representatives Gosch, Bolin, Brunner, Hansen (Jon), Jensen, Liss, Rausch, Sly, and Wick

SB 98 **provide for a pilot program initiating two mathematics and science academies and to make an appropriation therefor.**

Senators Johnston, Schlekeway, and Tieszen and Representatives Perry and Munsterman

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SB 130 **require the school board of each school district to adopt a policy prohibiting bullying.**

Senators Lederman, Adelstein, Gray, Schlekeway, and Sutton and Representative Sly

J. MARK JOHNSTON, Chair

Committee Agenda

Committee: Senate Judiciary
Room: 413
Date: Tuesday, February 7, 2012
Time: 7:45 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

SB 132 **define vehicular homicide and vehicular battery as crimes of violence.**
Senators Lederman and Rampelberg and Representatives Bolin and Miller

SB 135 **revise the elements of the crimes of vehicular homicide and vehicular battery.**
Senator Lederman and Representatives Miller and Bolin

SB 133 **establish the criminal offense of aggravated disorderly conduct and to provide a penalty therefor.**
Senator Lederman and Representatives Bolin, Miller, and Nelson (Stace)

SB 134 **establish or revise the elements of the criminal offenses of obstructing an officer, refusing the lawful order of a law enforcement officer, and fleeing the scene of a potential investigation, and to provide penalties therefor.**
Senators Lederman, Frerichs, and Rampelberg and Representatives Miller and Bolin

SB 146 **provide for an affirmative defense of compulsion for the crime of prostitution.**
Senators Cutler, Krebs, and Peters and Representatives Moser, Blake, Elliott, Gibson, Gosch, Hickey, Kirkeby, Lucas, Magstadt, Rozum, Sigdestad, and Street

SB 183 **establish the elements of the offense of juvenile sexting and to provide a penalty therefor.**
Senators Vehle, Cutler, Fryslie, Holien, Maher, Nygaard, Olson (Russell), Rhoden, Schlekeway, and Tidemann and Representatives Hoffman, Gosch, Rozum, Street, Tulson, Verchio, and Wismer

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

CRAIG TIESZEN, Chair